

DOCKET NO.: 284631US26PCT



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Hiroaki SAEKI, et al.

SERIAL NO: 10/564,618

GROUP: 3652

FILED: January 13, 2006

EXAMINER:

FOR: TRANSPORTATION APPARATUS AND DRIVE MECHANISM

LETTER

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are an International Preliminary Report on Patentability and Written Opinion for the examiner's consideration.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

SUZUYE, Takehiko
c/o Suzuye & Suzuye
7-2, Kasumigaseki 3-chome
Chiyoda-ku, Tokyo 1000013
JAPON

RECEIVED
2 JUN 12 2006 F
SUZUYE & SUZUYE

Date of mailing (day/month/year) 01 June 2006 (01.06.2006)	
Applicant's or agent's file reference 04S0749P	IMPORTANT NOTIFICATION
International application No. PCT/JP2004/010178	International filing date (day/month/year) 09 July 2004 (09.07.2004)
Applicant TOKYO ELECTRON LIMITED et al	

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Masashi Honda
Facsimile No.+41 22 740 14 35	Facsimile No.+41 22 338 70 10

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 04S0749P	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2004/010178	International filing date (<i>day/month/year</i>) 09 July 2004 (09.07.2004)	Priority date (<i>day/month/year</i>) 16 July 2003 (16.07.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant TOKYO ELECTRON LIMITED			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.
3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input checked="" type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application
4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 22 May 2006 (22.05.2006)
Facsimile No. +41 22 740 14 35	Authorized officer <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Masashi Honda</div>
Telephone No. +41 22 338 70 10	

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference
04S0749P

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2004/010178

International filing date (day/month/year)

09.07.2004

Priority date (day/month/year)

16.07.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

TOKYO ELECTRON LIMITED

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/IP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/010178

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/010178

Box No. IV

Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has:
- ☒ paid additional fees
 - ☐ paid additional fees under protest
 - ☐ not paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:

The inventions of claims 1-15 relate to a transportation apparatus having a link mechanism which is connected to base end arms of a first arm mechanism and a second arm mechanism such as to drive the arm mechanisms.

The inventions of claims 16-22 relate to a drive mechanism having a position detecting portion for detecting relative positions of an inner drive shaft and an outer drive shaft.

Accordingly, neither appears to possess identical or corresponding special technical features.

4. Consequently, this opinion has been established in respect of the following parts of the international application:

- ☒ all parts
- ☐ the parts relating to claims Nos. _____

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No. <div style="text-align: center; font-weight: bold;">PCT/JP2004/010178</div>
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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																										
1. Statement	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; vertical-align: top; padding: 5px;">Novelty (N)</td> <td style="width: 10%; vertical-align: top; padding: 5px;">Claims</td> <td style="width: 50%; padding: 5px;">1-22</td> <td style="width: 10%; text-align: right; padding: 5px;">YES</td> </tr> <tr> <td></td> <td style="vertical-align: top; padding: 5px;">Claims</td> <td style="padding: 5px;"></td> <td style="text-align: right; padding: 5px;">NO</td> </tr> <tr> <td style="vertical-align: top; padding: 5px;">Inventive step (IS)</td> <td style="vertical-align: top; padding: 5px;">Claims</td> <td style="padding: 5px;">1-22</td> <td style="text-align: right; padding: 5px;">YES</td> </tr> <tr> <td></td> <td style="vertical-align: top; padding: 5px;">Claims</td> <td style="padding: 5px;"></td> <td style="text-align: right; padding: 5px;">NO</td> </tr> <tr> <td style="vertical-align: top; padding: 5px;">Industrial applicability (IA)</td> <td style="vertical-align: top; padding: 5px;">Claims</td> <td style="padding: 5px;">1-22</td> <td style="text-align: right; padding: 5px;">YES</td> </tr> <tr> <td></td> <td style="vertical-align: top; padding: 5px;">Claims</td> <td style="padding: 5px;"></td> <td style="text-align: right; padding: 5px;">NO</td> </tr> </table>			Novelty (N)	Claims	1-22	YES		Claims		NO	Inventive step (IS)	Claims	1-22	YES		Claims		NO	Industrial applicability (IA)	Claims	1-22	YES		Claims		NO
Novelty (N)	Claims	1-22	YES																								
	Claims		NO																								
Inventive step (IS)	Claims	1-22	YES																								
	Claims		NO																								
Industrial applicability (IA)	Claims	1-22	YES																								
	Claims		NO																								
2. Citations and explanations:	<p>(1) The inventions of claims 1-15 possess an inventive step over documents 1 and 2 cited in the ISR.</p> <p>Neither document 1 nor document 2 describes a transportation apparatus having a first drive source for driving and rotating a rotatable base and a second drive source for driving a link mechanism connected to base end arms of a first arm mechanism and a second arm mechanism such as to drive the arm mechanisms, which are attached to the rotatable base; therefore, the inventions exhibit a significant advantageous effect enabling the rotating angle of the base as well as the number of drive sources to be reduced.</p> <p>(2) The inventions of claims 16-22 involve an inventive step over documents 1 and 2 cited in the ISR.</p> <p>Neither document 1 nor document 2 describes or suggests a drive mechanism wherein an inner drive shaft is provided with a light passage window for allowing light to enter which is reflected from a detection pattern disposed on an inner surface of the outer drive shaft.</p>																										